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12 Attorneys for Plaintiffs
13 ELECTROGRAPH SYSTEMS, INC. and
ELECTROGRAPH TECHNOLOGIES CORP.

14
15 IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 IN RE TFT-LCD (FLAT PANEL) ANTITRUST
17 LITIGATION

Master Case No.: 3:07-md-1827 SI
MDL No. 1827

Case No.: 3:11-cv-03342-SI

18
19 This Document Relates to Individual Case No.
3:11-cv-03342-SI (N.D. Cal.)

**STIPULATION OF EXTENSION OF
TIME TO RESPOND TO
COMPLAINT, WAIVER OF SERVICE,
AND [~~PROPOSED~~] ORDER**

20 ELECTROGRAPH SYSTEMS, INC.;
21 ELECTROGRAPH TECHNOLOGIES CORP.,

22 Plaintiffs,

23 vs.

24 NEC CORPORATION; NEC CORPORATION OF
AMERICA; NEC DISPLAY SOLUTIONS OF
25 AMERICA, INC.; NEC ELECTRONICS
AMERICA, INC.; NEC LCD TECHNOLOGIES,
26 LTD.,

27 Defendants.

1 WHEREAS the undersigned counsel, on behalf of plaintiffs Electrograph Systems, Inc. and
 2 Electrograph Technologies Corp. (hereinafter "Electrograph") filed a complaint in the above-
 3 captioned case against NEC Corporation, NEC Corporation of America, NEC Display Solutions of
 4 America, Inc., NEC Electronics America, Inc., and NEC LCD Technologies, Ltd., on April 5, 2011
 5 ("Complaint");

6 WHEREAS Electrograph wishes to avoid the burden and expense of serving process on NEC
 7 Corporation of America, NEC Display Solutions of America, Inc., and NEC Electronics America,
 8 Inc. (hereinafter "NEC");

9 WHEREAS NEC desires a reasonable amount of time to respond to the Complaint; and

10 WHEREAS Electrograph and NEC believe that proceeding on a unified response date will
 11 create efficiency for the Court and the parties by reducing duplicative motion practice;

12 THEREFORE, Electrograph and NEC hereby agree:

13 1. NEC Corporation of America, NEC Display Solutions of America, Inc., and NEC
 14 Electronics America, Inc. waive service of the Complaint under Federal Rule of Civil Procedure
 15 4(d). This stipulation does not constitute a waiver by any of the NEC defendants of any other
 16 substantive or procedural defense, including but not limited to the defense of lack of personal or
 17 subject matter jurisdiction and improper venue.

18 2. NEC's deadline to move to dismiss, answer, or otherwise respond to the Complaint
 19 will be 90 days from the execution of this stipulation, which execution shall take place no later than
 20 June 6, 2011, subject to Federal Rule of Civil Procedure 6(a)(1).

21 3. Electrograph will proceed to formally serve NEC Corporation and NEC LCD
 22 Technologies, Ltd., both Japanese corporations, under the Hague Convention. NEC and
 23 Electrograph agree that the case may proceed in the fashion described in paragraph 2, above, as to all
 24 defendants without waiting for service under the Hague Convention to be fully effectuated provided,
 25 however, that any other substantive or procedural defense, including but not limited to the defense of
 26 lack of personal or subject matter jurisdiction and improper venue may be asserted by defendants.

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28 ///

DUANE MORRIS LLP

Dated: June 6, 2011

By: /s/
George D. Niespolo
Attorneys for Defendants NEC Corporation of
America; NEC Display Solutions of America, Inc.;
NEC Electronics America, Inc.

BOIES SCHILLER & FLEXNER LLP

Dated: June 6, 2011

By: /s/
Philip J. Iovieno
Attorneys for Plaintiffs Electrograph Systems, Inc. and
Electrograph Technologies Corp.

Attestation: The filer of this document attests that the concurrence of the other signatories
thereto has been obtained.

SO ORDERED.

8/11/11

ORDER



Honorable Susan J. Illston
United States District Judge